IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 15494 of 2007(T)

PETITIONER:

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1. A.LALIDA DAS,
   KALINDI, SREENIVASAPURAM P.O., VARKALA,
   THIRUVANANTHAPURAM DISTRICT.

2. A.UDAYAKUMARI,
   CHEMPAKASSERY HOUSE, POOTHAKULAM P.O.,
   KOLLAM.

3. BABURAJ,
   CHEMPAKASSERY HOUSE, POOTHAKULAM P.O.,
   KOLLAM.

BY ADV. SRI.P.GOPALAKRISHNAN NAIR

RESPONDENTS:

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1. DISTRICT EDUCATIONAL OFFICER,
   KOLLAM.

2. A.KRISHNAVENI,
   CHEMPAKASSERY HOUSE, POOTHAKULAM P.O,
   KOLLAM.

3. VASUMATHY,
   CHEMPAKASSERY HOUSE, POOTHAKULAM P.O., KOLLAM.

4. ASOKAN,
   CHEMPAKASSERY HOUSE,
   POOTHAKULAM P.O., KOLLAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2007 ALONG WITH WPC NO. 15852 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

It appears that the two groups have elected their respective representatives to be the joint Managers for the current academic year 2007-2008. Smt.Krishnaveni, petitioner in WP.No. 15852/2007 contends that Smt.Lalitha Das cannot act as Joint Manager since she has been admittedly elected as representative of her group with the support of Smt.Udayakumari, who is disqualified to be a member of the educational agency under Rule 8(1) of Chapter III as she is employed in the school. In the other writ petitioner viz., WP.No.15494/07 Smt.Lalitha Das and others pays that a direction may be issued to the Controlling Officer to approve her as the Joint Manager.

Late Achuthan had founded three schools viz., Chembakassery Upper Primary School, Chembakassery Higher Secondary school and Chembakassery T.T.I. He had two wives Smt.Kunjikutty and Smt. Devayani. Smt.Kunjikutty had 6 children and Devayani 5. In terms of the decree passed by the Principal Subordinate Judge, Kollam in OS.147/1988, it was agreed that the 3 institutions would be managed and and administered by 3 managers, one each to be elected from the two groups. The term of office of the 2 managers is one year. In WP.NO.18463/06 this Court had directed the District Educational Officer, Kollam to supervise the election of the representative from the two groups. The election was held and two joint managers were appointed but the problem that has arisen now is of a different dimension. But in view of the intervening developments, I do not deem it necessary to deal with the rival contentions of the parties with regard to the said contentious

issue.